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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,221	12/14/2000	Blaine Masemore	10230-1U1	1368
570 7.	590 07/21/2003			
AKIN GUMP STRAUSS HAUER & FELD L.L.P. ONE COMMERCE SQUARE 2005 MARKET STREET, SUITE 2200			EXAMINER	
			YILDIRIM, BEKIR L	
PHILADELPH	HILADELPHIA, PA 19103-7013		ART UNIT	PAPER NUMBER
•			1764	И
			DATE MAILED: 07/21/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Appli ant(s)		
Office Action Summary		09/737,221	MASEMORE ET AL.		
		Examiner	Art Unit		
	·	Bekir L. YILDIRIM	1764		
The MAILING DATE of this communication app ars on the cov r sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status					
1) 🗌	Responsive to communication(s) filed on	·			
2a)☐		s action is non-final.			
3)	3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.				
Disposition of Claims					
4)⊠	Claim(s) 1-46 is/are pending in the application				
4a) Of the above claim(s) is/are withdrawn from consideration.					
5)	Claim(s) is/are allowed.		i .		
6)	Claim(s) is/are rejected.				
7)	Claim(s) is/are objected to.				
8) Claim(s) <u>1-46</u> are subject to restriction and/or election requirement. Application Papers					
9) The specification is objected to by the Examiner.					
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.					
If approved, corrected drawings are required in reply to this Office action.					
12) The oath or declaration is objected to by the Examiner.					
Priority under 35 U.S.C. §§ 119 and 120					
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).					
a) ☐ All b) ☐ Some * c) ☐ None of:					
	1. Certified copies of the priority documents	s have been received.			
	2. Certified copies of the priority documents have been received in Application No				
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).					
 a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 					
Attachment(s)					
2) Notice	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Informal F	(PTO-413) Paper No(s) Patent Application (PTO-152)		
S. Patent and Tra	adamark Office				

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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-18, drawn to a tire pyrolysis proces, classified in class 585, subclass 241.
- II. Claims 19-46, drawn to a tire pyrolysis apparatus, classified in class 202, subclass 118.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus as claimed can be used to practice another and materially different process such as coal liquefaction.

Because these inventions are distinct for the reasons given above, have acquired a separate status in the art as shown by their different classification, and because of their recognized divergent subject and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

A telephone call was made to Lynda Calderon on 7/11/03 and 7/14/03 to request an oral election to the above restriction requirement, but did not result in an election being made.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bekir L. YILDIRIM whose telephone number is (703) 308-3586. The examiner can normally be reached on 10:30-8:00 (alternating Mondays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marian Knode can be reached on (703) 308-4311. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3599 for regular communications and (703) 872-9467 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0611.

BLY July 17, 2003